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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL ROGERS, an individual;
NIKITA WRIGHT, an individual,
Plaintiffs

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; JOSEPH LOMBARDO,
in his official capacity; ALFREDO
QUINTERO, individually; PRAVEEN RAJ,
individually; PARKER SMITH,
individually; TYLER GEORGI,
individually; JUSTIN JONSSON,
individually; JAMES KILBER, individually
DOE OFFICERS V - VI, individually,

Defendants

Case No.: 2:22-cv-00867-CDS-BNW

**STIPULATION AND ORDER TO
EXTEND AMENDMENT
DEADLINE**

(SECOND REQUEST)

[ECF No. 74]

Plaintiffs Michael Rogers and Nikita Wright (“Plaintiffs”), by and through their counsel of record, Margaret A. McLetchie, Esq. and Leo S. Wolpert, Esq., of McLetchie Law, and Defendants, the Las Vegas Metropolitan Police Department (the “Department” or “LVMPD”), Sgt. Alfredo Quintero (“Quintero”), and Officer Praveen Raj (“Raj”), collectively (“LVMPD Defendants”), by and through their counsel of record, Craig R. Anderson, Esq. and Nick D. Crosby, Esq., of Marquis Aurbach, hereby stipulate and agree

1 to extend the deadline for Plaintiffs to amend their complaint by two (2) days, to **February**
2 **28, 2025**. This Stipulation is being entered in good faith and not for purposes of delay.

3 The formal deadline to amend pleadings or add parties has passed and Plaintiffs are
4 not seeking to extend that deadline. The amendment deadline to be extended by this
5 stipulation is the February 26, 2025, deadline set by the Court in its February 13, 2025, Order
6 granting the Parties' first stipulation to extend the instant deadline. *See* ECF No. 71.

7 Pursuant to Local Rule 26-3 and Fed. R. Civ. P. 6(b), the Parties submit that good
8 cause exists for the extension requested. The Parties acknowledge that, pursuant to Local
9 Rule 26-3, a stipulation to extend a deadline must be submitted to the Court no later than 21
10 days before the expiration of the subject deadline, and that a request made within 21 days
11 must be supported by a showing of good cause. As the Court provided fourteen (14) days for
12 amendment pursuant to the Parties' previous stipulation, the instant stipulation could not be
13 filed within the Rule's 21-day window. This is the second request for an extension of the
14 deadline for Plaintiffs to file a third amended complaint.

15 Plaintiffs require the additional time to fully articulate and adequately plead the
16 claims in their amended complaint, particularly to cure the deficiencies relied upon by this
17 Court in partially granting Defendants' Motion to Dismiss. *See* ECF No. 64. While Plaintiffs'
18 counsel has diligently endeavored to meet this deadline, several competing deadlines (both
19 anticipated and unanticipated) required Plaintiffs' counsel's urgent attention. Additionally,
20 Ms. McLetchie was required to travel to Carson City February 23-24, 2025. Furthermore,
21 Ms. McLetchie suffered a death in the family on February 23, 2025. Finally, the Parties
22 together request this in good faith and to further the resolution of this complicated case on
23 the merits, and not for any purpose of delay.

24 The Parties thus respectfully request an extension of time for Plaintiffs to file their
25 third amended complaint to enable to them to conduct necessary additional investigation as
26 to their claims so that this matter is fairly resolved on the merits with a third amended
27 complaint that fully reflects Plaintiffs' claims. "Good cause to extend a discovery deadline
28 exists 'if it cannot reasonably be met despite the diligence of the party seeking the

extension.”” *Derosa v. Blood Sys., Inc.*, No. 2:13-cv-0137-JCM-NJK, 2013 U.S. Dist. LEXIS 108235, 2013 WL 3975764, at 1 (D. Nev. Aug. 1, 2013) (*quoting Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)); *see also* Fed. R. Civ. P. 1 (providing that the Rules of Civil Procedure “should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding”).

Based on the foregoing stipulation, the Parties request that the deadline for Plaintiffs to file their third amended complaint to supplement their *Monell* and equal protection claims be extended an additional two (2) days, to February 28, 2025.

Dated this 26th day of February, 2025.

Dated this 26th day of February, 2025.

MCLETCHE LAW

MARQUIS AURBACH

By: /s/ Leo S. Wolpert

By: /s/ Nick D. Crosby

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Quintero, and Officer Praveen Raj

ORDER

The parties’ stipulation [ECF No. 74] is approved nunc pro tunc to February 26, 2025. The deadline for plaintiffs to file their third amended complaint is extended to February 28, 2025.


UNITED STATES DISTRICT JUDGE

DATED: February 27, 2025